Contingency Real Estate Support

Concept of Operations
PL 84-99

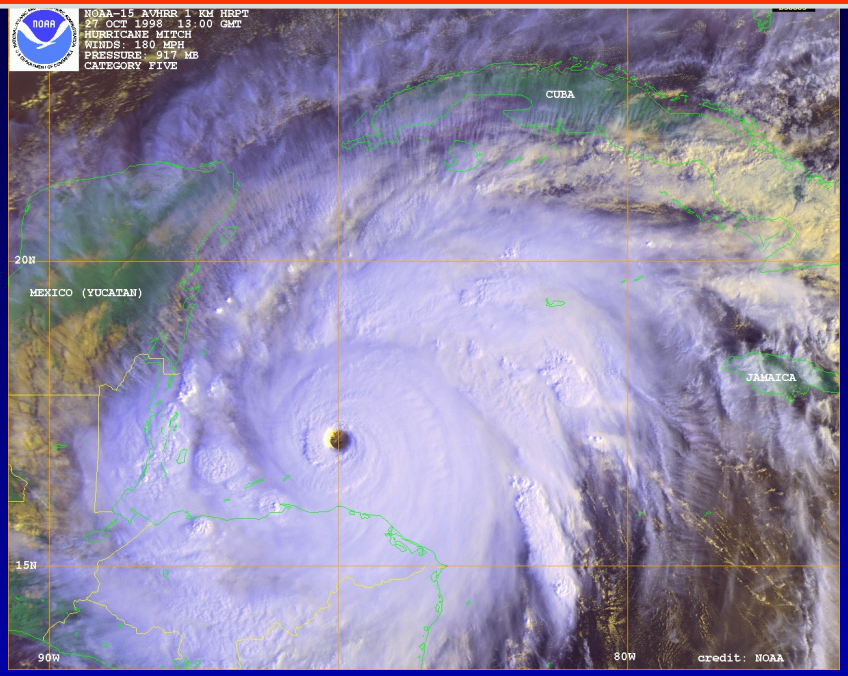
Objective

Obtain a basic knowledge of PL 84-99 preparedness and operational authorities and policies

USACE Authorities and Activities

PL 84-99

PL 93-288, Stafford Act



Two Distinct Civil Disaster Response Paradigms

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PL 84-99, Flood and Coastal Storm Emergencies

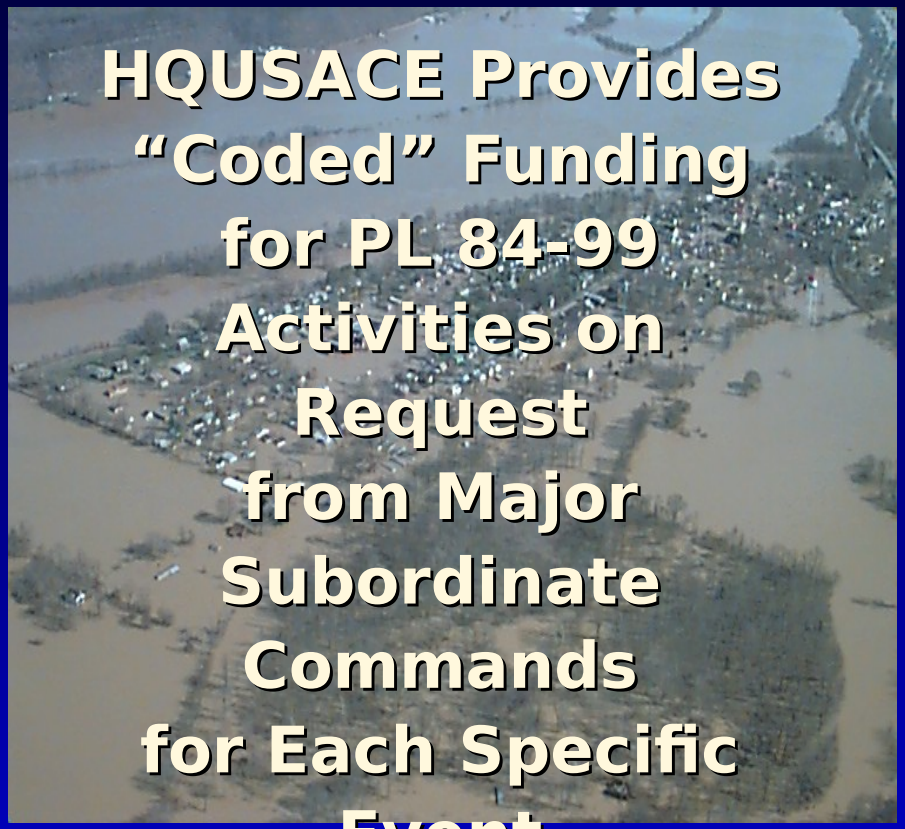
- Authority for Chief of Engineers, acting for the Secretary of Army to provide emergency/disaster assistance
- Enables US Army Corps of Engineers to assist state and local authorities in flood fight activities and cost share in repair of flood protection structures
- PL 99-662 amends and provides “Gap Authority” - continuity of federal response and between event and

One Law
Six Authorized Activities

- Disaster preparedness
- Emergency operations (flood response and post flood response)
- Rehabilitation of flood control works
- Emergency water/drought
- Advance measures
- Hazard mitigation

PL 84-99 Funding

- Disaster Preparation (Code 100)
- Emergency Operations (Code 200)
- Rehabilitation (Code 300)
- Water Assistance (Code 400)
- Advance Measures (Code 500)
- Hazard Mitigation (Code 600)



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PL 84-99 - Code 100

- **Disaster Preparation (Code 100)**
- Emergency Operations (Code 200)
- Rehabilitation (Code 300)
- Water Assistance (Code 400)
- Advance Measures (Code 500)
- Hazard Mitigation (Code 600)

- **Planning for Quick and Effective Response; emergency plans, procedures, manuals, and brochures**
- **Exercises and training**
- **Stockpiling supplies and equipment and critical flood fight materials**
- **Public Assistance Including liaison, coordination with state and local entities, and inspections**
- **Emergency staff and facility support**

A Comprehensive Flood Response Infrastructure

PL 84-99 - Code 200

- Disaster Preparation (Code 100)
- **Emergency Operations (Code 200)**
- Rehabilitation (Code 300)
- Water Assistance (Code 400)
- Advance Measures (Code 500)
- Hazard Mitigation (Code 600)

- **Field investigation and reconnaissance of flood fight potential**
- **Flood fighting**
  - **Technical assistance**
  - **Furnishing materials**
  - **Search and Rescue**
  - **Contracting for emergency operations construction**
- **Post - Flood Response**
  - **Emergency debris removal**
  - **Temporary restoration of critical transportation routes and public services and utilities**
  - **After action review and reporting**

A Comprehensive Flood Response Infrastructure

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Emergency Ops Flood Response - Code 200

- Provide flood fight assistance to save lives and protect improved property (public facilities/services and residential/commercial developments) when:
  - Rivers are at/above flood stage; local resources fully used; locals have requested assistance through state; required immediately
  - Assistance 100% federally funded (possible exception - supplies, equipment)
  - Removal/upgrade of emergency measures is a local responsibility
  - Assistance to individual homeowners and businesses not permitted; including agricultural lands
  - Limited to major flood or coastal storm disasters resulting in life-threatening or property-damaging situations
  - Local entities provide LERRDs and hold and save US Government harmless

PL 84-99 - Code 300

- Disaster Preparation (Code 100)
- Emergency Operations (Code 200)
- **Rehabilitation (Code 300)**
- Water Assistance (Code 400)
- Advance Measures (Code 500)
- Hazard Mitigation (Code 600)

- **Repair eligible flood control works; includes non-federal or Federally constructed-locally maintained**
- **Repair Federally constructed hurricane or shore protection work**

A Comprehensive Flood Response Infrastructure

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Rehabilitation - Code 300

- US Army Corps of Engineers will repair **e**ligible non-federal flood control works (FCW); Federally constructed, locally maintained FCW; Federally constructed hurricane or shore protection projects damaged by coastal storm.
- **Rehabilitation Eligibility Criteria:**
  - FCW must be in active status of Rehabilitation & Inspection Program (RIP) prior to flood event.
  - Public sponsorship for non-federal FCW; primary FCW versus secondary/interior levee; minimum level of protection; properly maintained.
    - Urban levees: 10 years plus 2 feet freeboard.
    - Agricultural: 5 years plus 1 foot freeboard.
- **Interagency Levee Task Force (ILTF)**
  - USACE designated lead federal agency for ILTF by Office of Management and Budget (OMB) and Council of Environmental Quality (CEQ). ILTF is mandated to consider all relevant options, including non-structural alternatives, during the repair process.
- Prototype June 2001
- Local entities provide LERRDs and hold and save US Government harmless

PL 84-99 - Code 400

- Disaster Preparation (Code 100)
- Emergency Operations (Code 200)
- Rehabilitation (Code 300)
- **Water Assistance (Code 400**
- Advance Measures (Code 500)
- Hazard Mitigation (Code 600)

•Supplemental assistance to state and local efforts for human consumption only

•Provide clean drinking water supply when needed due to water source contamination

• Provide clean drinking water supply when needed due to droughts,

• Covers well drilling (reimbursable)

• Transportation (not supply) of

Emergency Water Assistance - Code 400

- Emergency supply of clean drinking water for human consumption and, if not commercially possible, construction of wells. Water normally provided by tank trucks or small-diameter pipelines.

- Assistance is supplemental to state and local efforts. Permanent restoration of water supply is local responsibility.

- Applicants must furnish LERRDs; make necessary relocations; and hold the US Government free from damages.

- Purchase and storage costs are not eligible for USACE assistance.

- Only for human consumption.

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PL 84-99 - Code 500

- Disaster Preparation (Code 100)
- Emergency Operations (Code 200)
- Rehabilitation (Code 300)
- Water Assistance (Code 400)
- **Advance Measures (Code 500)**
- Hazard Mitigation (Code 600)

- **Preventive temporary works executed prior to predicted unusual flooding**
- **Protects against loss of life and damages to improved property due to flooding**
- **Examples:**
  - **Technical assistance, supplies**
  - **Creating a ring levee around critical facilities**

Advance Measures - Code 500

- Performed prior to flooding. Protects against loss of life and damages to improved property due to flooding.
- Letter from governor requesting assistance.
- Work must be economically justified.
- Applicants must furnish LERRDs and hold the US Government free from damages.
- Temporary works to be removed by local sponsor.

PL 84-99 - Code 600

- Disaster Preparation (Code 100)
- Emergency Operations (Code 200)
- Rehabilitation (Code 300)
- Water Assistance (Code 400)
- Advance Measures (Code 500)
- **Hazard Mitigation (Code 600)**

- **Identify mitigation opportunities**
- **Establish framework for recovery**
- **Provide support to FEMA in Hazard Mitigation Team (HMT) meetings after major disasters**

A Comprehensive Flood Response Infrastructure

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Direct Federal Assistance

- Goods and Services provided to State and local jurisdictions when they lack the capacity to provide for themselves, i.e., sandbags and pumps, emergency contracting, levee reinforcement.
- Supplies replaced in kind or paid for by local entities. Unused stock returned.
- May involve RE if Corps is involved in placement.

RE in Support of Flood Response

- Agreements, Assurances and Resolutions
- Complete sponsor information
- Provide LERRDs and hold harmless
- Agree to remove temp structures
- Copies to EOC, RE, and Sponsor
- May acquire by ROEs, ingress-egress, levee easements, fee, donation, staging

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Concept of Operations PL 84-99

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